

REMARKS/ARGUMENTS

As a result of this Amendment, claims 1, 3 and 5-7 are under active consideration in the subject patent application. Claims 2, 4, 8 and 9 have been cancelled.

In the Official Action, the Examiner has:

- (1) identified claims 1, 3 and 5-7 as presenting allowable subject matter;
- (2) objected to the title of the invention;
- (3) objected to the Abstract;
- (4) rejected claim 2 as allegedly being unpatentable over U.S. Patent No. 2,177,938 (Hamilton) in view of U.S. Patent No. 4,801,928 (Minter);
- (5) rejected to claim 4 as allegedly being unpatentable over U.S. Patent No. 2,177,938 (Hamilton) in view of U.S. Patent No. 4,801,928 (Minter) and further in view of U.S. Patent No. 4,578,672 (Oota et al.);
- (6) rejected to claims 4 and 8 as allegedly being unpatentable over U.S. Patent No. 2,177,938 (Hamilton) in view of U.S. Patent No. 4,801,928 (Minter) and further in view of PCT No. 97/07484 (Weisheit et al.);
- (7) rejected to claim 9 as allegedly being unpatentable over U.S. Patent No. 2,177,938 (Hamilton) in view of U.S. Patent No. 4,801,928 (Minter) and further in view of U.S. Patent No. 6,554,724 (Taylor et al.); and
- (8) rejected to claim 9 as allegedly being unpatentable over U.S. Patent No. 2,177,938 (Hamilton) in view of U.S. Patent No. 4,801,928 (Minter) and further in view of U.S. Publication No. 2003/0109336 A1 (Oister et al.).

With regard to Item 1, Applicant acknowledges with appreciation the Examiner's affirmation that claims 1, 3, and 5-7 present allowable subject matter.

With regard to Item 2, Applicant has amended the Title of the application in accordance with the Examiner's suggestions. Entry of the amended Title into the application is requested.

With regard to Item 3, a substitute Abstract is attached with this Response which is in compliance with MPEP 608.01(a). No new matter has been entered as a result of these changes to the Abstract. Applicant requests entry of the substitute Abstract into the application.

With regard to Items 4-8, Applicant categorically disagrees with the Examiner's allegations that:

- (a) claim 2 is unpatentable over a combination of U.S. Patent No. 2,177,938 and U.S. Patent No. 4,801,928;
- (b) claim 4 is unpatentable over a combination of U.S. Patent No. 2,177,938, U.S. Patent No. 4,801,928 and U.S. Patent No. 4,578,672;
- (c) claims 4 and 8 are unpatentable over a combination of U.S. Patent No. 2,177,938, U.S. Patent No. 4,801,928, and PCT No. 97/07484; and
- (d) claim 9 is unpatentable over a combination of U.S. Patent No. 2,177,938, U.S. Patent No. 4,801,928, and U.S. Patent No. 6,554,724; or over U.S. Patent No. 2,177,938, U.S. Patent No. 4,801,928, and U.S. Publication No. 2003/0109336 A1.

Appl. No. 10/550,658
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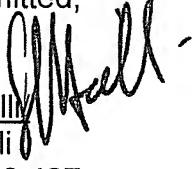
However, in an effort to expedite prosecution of the subject that has been identified as allowable, Applicants have cancelled claims 2, 4, 8 and 9 without prejudice to Applicant's right to prosecute the canceled subject matter in related applications.

In view of the foregoing, Applicant respectfully submits that claims 1, 3 and 5-7 are in condition for allowance. Favorable reconsideration is therefore respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If a telephone conference would be of assistance in advancing prosecution of the above-identified application, Applicant's undersigned Attorney invites the Examiner to telephone him at 215-979-1255.

Respectfully Submitted,


/Samuel W. Apicelli
Samuel W. Apicelli
Registration No. 36,427
Customer No. 08933
DUANE MORRIS LLP
30 S. 17th Street
Philadelphia, PA 19103-4196
Tel: 215-979-1255
swapicelli@duanemorris.com

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